

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

This matter is before the court following a telephone planning conference with counsel for all parties on August 15, 2008. Participating for the plaintiff were Floyd R. Nation and Roger L. Shifermiller. Participating for the defendants were Kurt J. Niederluecke and Steven D. Davidson.

Pending before the court is a ruling on claim construction following the June 5, 2008 hearing.

IT IS ORDERED:

1. The plaintiff shall file and serve its Final Infringement Contentions thirty calendar days after the court's claim construction ruling.
2. The defendants shall file and serve their Final Invalidity Contentions and shall produce any opinions or other documents relating to opinions which the defendants will rely upon as part of a defense to willful infringement within fifty calendar days of the court's claim construction ruling.
3. All parties shall exchange privilege logs fifty calendar days of the court's claim construction ruling.
4. **On or before December 5, 2008**, each party with the burden of proof shall identify any experts and provide expert reports in accordance with Fed. R. Civ. P. 26(a)(2)(B).

5. **On or before January 13, 2009**, the opposing party shall identify any rebuttal experts and provide expert reports.

6. **On or before February 13, 2009**, the parties shall complete all fact and expert discovery.

7. The parties shall have to **on or before March 13, 2009**, to file dispositive motions.

8. Any motions in limine shall be filed **on or before June 2, 2009**.

9. **The Final Pretrial Conference** with the undersigned magistrate judge is set for **June 9, 2009, at 10:00 a.m.** in chambers, Suite 2271, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

10. **Trial** is set to commence **July 20, 2009**, in Omaha, Nebraska, before the Honorable Joseph F. Bataillon and a jury.

DATED this 18th day of August, 2008.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge